

REMARKS

The Office Action mailed April 19, 2007, objects to Claims 16-19, 27-30, and 37-40 as they depend upon rejected base claims but indicates that they contain allowable subject matter and would be allowable in rewritten in independent form including all of the limitations of the base claims and any intervening claims. The Office Action also indicates that Claims 65, 66, 68-73, 75-81, and 83-85 include allowable subject matter and would be allowable if rejections set forth toward these claims under 35 U.S.C. § 101 are overcome. The Office Action furthermore rejects the remainder of the pending claims under 35 U.S.C. § 103 in view of several references. Without specifically discussing the cited references, this paper and amendments presented herein are intended merely to comply with requirements of form set forth in the Office Action in order to place the patent application in condition for allowance.

Utility

Regarding the utility of the pending claims, Applicant provided proposed amendments to the Examiner by facsimile transmission on June 1, 2007. On June 4, 2007, Applicant and the Examiner engaged in a discussion regarding the proposed amendments. In that discussion, the Examiner indicated that the 35 U.S.C. § 101 rejections would be overcome in the proposed amendments. According to amendments herein, Applicant has implemented the proposed amendments. In particular, independent Claims 1, 41, 65, and 90 toward methods provide useful result at least in that a step for “generating an availability response” is included in each. Independent method Claim 86 provides a useful result at least in that a step for “providing the user with product availability information” is included. Independent Claims 20, 47, and 73 toward systems provide useful results at least in that “means for generating an availability response” is included in each. Independent system Claim 88 provides a useful result at least in that “means for providing the user with product availability information” is included. Independent Claims 31, 50, and 80 toward computer program products provide useful results at least in that “means for generating an availability response” is included in each. Thus, each independent claim provides a useful result, and each dependent claim provides a useful result at least by way of the respective independent claim upon which it depends.

Allowable Subject Matter

Regarding the patentability of the pending claims in view of the references of record, in the discussion of June 4, 2007, the Examiner indicated that the 35 U.S.C. § 103 rejections would be overcome in the proposed amendments. According to amendments herein, Applicant has implemented the proposed amendments. As further detailed below, each of the claims as amended herein include subject matter indicated as allowable in the Office Action.

Allowable Subject Matter in Claims 1-3, 5-13, and 17-19

As amended herein, Claim 1 includes the allowable subject matter of previous Claim 16 by incorporating directly the features of previous Claims 14-16. Accordingly, Claims 14-16 are canceled and Claims 17-19, which previously depended upon Claim 16, are amended to depend upon Claim 1. Thus, in view of these amendments, Claim 1 includes allowable subject matter, and Claims 2-3, 5-13, and 17-19, all of which depend directly or indirectly upon Claim 1, include at least the allowable subject matter of Claim 1.

Allowable Subject Matter in Claims 20-21, 23-25, and 28-30

As amended herein, Claim 20 includes the allowable subject matter of previous Claim 27 by incorporating directly the features of previous Claims 26-27. Accordingly, Claims 26-27 are canceled and Claims 28-30, which previously depended upon Claim 27, are amended to depend upon Claim 20. Thus, in view of these amendments, Claim 20 includes allowable subject matter, and Claims 21, 23-25, and 28-30, all of which depend directly or indirectly upon Claim 20, include at least the allowable subject matter of Claim 20.

Allowable Subject Matter in Claims 31-32, 34-35, and 38-40

As amended herein, Claim 31 includes the allowable subject matter of previous Claim 37 by incorporating directly the features of previous Claims 36-37. Accordingly, Claims 36-37 are canceled and Claims 38-40, which previously depended from Claim 37, are amended to depend upon Claim 31. Thus, in view of these amendments, Claim 31 includes allowable subject matter,

Appl. No.: 10/635,273
Amdt. dated 07/13/2007
Reply to Office action of April 19, 2007

and Claims 32, 34-35, and 38-40, all of which depend directly or indirectly upon Claim 20, include at least the allowable subject matter of Claim 31.

Allowable Subject Matter in Claims 41-46

Claim 41 is analogous to Claim 1 but differs in that Claim 41 has no specific recitation toward receiving a product availability request. Nonetheless, as amended herein, Claim 41 includes allowable subject matter related to that of previous Claim 16 by the addition of features related to those of previous Claims 14-16. Thus, in view of these amendments, Claim 41 includes allowable subject matter, and Claims 42-46, all of which depend directly or indirectly upon Claim 41, include at least the allowable subject matter of Claim 41.

Allowable Subject Matter in Claims 47-49

Claim 47 is analogous to Claim 20 but differs in that Claim 47 has no specific recitation toward receiving a product availability request. Nonetheless, as amended herein, Claim 47 includes allowable subject matter related to that of previous Claim 27 by the addition of features related to those of previous Claims 26-27. Thus, in view of these amendments, Claim 47 includes allowable subject matter, and Claims 48-49, which depend directly or indirectly upon Claim 47, include at least the allowable subject matter of Claim 47.

Allowable Subject Matter in Claims 50-52

Claim 50 is analogous to Claim 31 but differs in that Claim 50 has no specific recitation toward receiving a product availability request. Nonetheless, as amended herein, Claim 50 includes allowable subject matter related to that of previous Claim 37 by the addition of features related to those of previous Claims 36-37. Thus, in view of these amendments, Claim 50 includes allowable subject matter, and Claims 51-52, which depend directly or indirectly upon Claim 50, include at least the allowable subject matter of Claim 50.

Allowable Subject Matter in Claims 65, 66, 68-73, 75-81, and 83-85

Appl. No.: 10/635,273
Amdt. dated 07/13/2007
Reply to Office action of April 19, 2007

The Office Action indicates that Claims 65, 66, 68-73, 75-81, and 83-85 include allowable subject matter though each is rejected under 35 U.S.C. § 101. Amendments to these claims as presented herein address the 35 U.S.C. § 101 rejections without adversely affecting the allowable subject matter.

Allowable Subject Matter in Claims 86-87

Claim 86 as amended herein includes allowable subject matter related to that of previous Claim 16 by the addition of features related to those of previous Claims 14 and 16, without specific recitation toward receiving a product availability request. Thus, in view of these amendments, Claim 86, and Claim 87 depending therefrom, include allowable subject matter.

Allowable Subject Matter in Claims 88-89

Claim 88 as amended herein includes allowable subject matter related to that of previous Claim 16 by the addition of features related to those of previous Claims 14 and 16, without specific recitation toward receiving a product availability request. Thus, in view of these amendments, Claim 88, and Claim 89 depending therefrom, include allowable subject matter.

Allowable Subject Matter in Claims 90-91

Claim 90 as amended herein includes allowable subject matter related to that of previous Claim 16 by the addition of features related to those of previous Claims 14 and 16, without specific recitation toward receiving a product availability request. Thus, in view of these amendments, Claim 90, and Claim 91 depending therefrom, include allowable subject matter.

Appl. No.: 10/635,273
Amdt. dated 07/13/2007
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CONCLUSION

Applicant has implemented the amendments proposed on June 1, 2007. Applicant has further implemented several minor revisions suggested by the Examiner on June 4, 2007, toward addressing concerns regarding antecedent-basis issues in some of the claims, and several other revisions toward improving punctuations and consistencies of terminologies throughout the claims, though these minor revisions are not described in detail in this paper. Thus, Applicant has complied with suggestions by the Examiner and has implemented revisions indicated by the Examiner to overcome the 35 U.S.C. § 101 and 35 U.S.C. § 103 rejections set forth in the Office Action of April 19, 2007. Applicant therefore respectfully submits that the application is in condition for allowance. The Examiner is encouraged to contact Applicants' agent to discuss any outstanding issues so as to expedite further treatment of the application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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